Diwan Bahadur Dr. V. Verghese.—Vide answer to question 25, sub-division 3 (b).

34. Mr. Poulo Mampilli .—If the answer to the above question is in the affirmative, will the Government be pleased to state the nature of the enquiries made, and what individuals or firms were given a chance to offer any terms?

Diwan Bahadur Dr. V. Verghese.—Vide answer to question 25, sub-division 3 (b).

35. Mr. Poulo Mampilli.—If the Government has made no such enquiries, will the Government be pleased to order such enquiries to be made before the orders for 1102 M. E. are placed with Messrs. Dadha & Co.?

Diwan Bahadur Dr. V. Verghese.—Vide answer to question 29.

The appointment of the Junior Civil Surgeon in Charge of the Office of the Chief Medical and Sanitary Officer.

36. Mr. Poulo Mampilli.—Will the Government be pleased to state their reasons for putting the Junior Civil Surgeon in charge of the Office of the Chief Medical and Sanitary Officer when there was in active service a Senior Civil Surgeon?

Diwan Bahadur Dr. V. Verghese.—The Government did not consider it expedient to dislocate the existing arrangements of Civil Surgeons in such a short vacancy.

Mr. C. A. Ouseph.—Sir, I rise to a point of order. We heard the name of Mr. Poulo Mampilli called several times, but, according to rules, the names of absent members cannot be called. There was a ruling made by the President to this effect on a previous occasion. Under Rule 13 of the Cochin Legislative Council Rules, his name cannot be called. This rule I bring to your kind notice. Once the objection was raised, and you ruled that the names of the members absent need not be called.

Mr. T. K. Krishna Menon.—I do not think there was any ruling to that effect on any previous occasion.

Mr. C. A. Ouseph.—It is in the published Proceedings.

Mr. T. K. Krishna Menon.—Will the Hon'ble Member be pleased to refer me to the volume and the page of the Proceedings?

Mr. C. A Ouseph.—I have not got the copy of the Proceedings with me now. I shall bring it to-morrow.

President.—There is some controversy between the Secretary to the Council and Mr. Ouseph. Has this matter

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been cleared ? I do not think I have given any such ruling on any occasion.

Mr. C. A. Ouseph.—If there is no ruling on this point, I raise it as a point of order. There was a ruling, I remember. For I myself raised this point.

President.—Mr. Ouseph, is there any real objection in calling the names of members absent ?

Mr. T. K. Krishna Menon.—Unless the names of members are called, how can their absence be brought to the notice of the President ? If their names are not to be called, I shall be only too glad, because that lightens my work.

Dr. A. R. Menon.—There were a number of questions in the member's name. If the member were to turn up after the first question or the second question is put, he can put supplementary questions on the remaining questions. But if his name is not called at all—seeing that he is absent—and all the questions in his name are passed over, then he could not put supplementary questions on any of his questions; even though he turns up just a minute or two after the time.

President.—This is not an important point. Let us always make a difference between substance and shadow.

Mr. A. B. Salem.—What is the objection in calling the names of members who are absent?

President.—These are only formal objections. Substantial objections must be considered.

Mr. C. A. Ouseph.—Calling the name forms a substantial part of putting questions, according to the rules published with regard to the manner of putting questions and answering them. (Vide Appendix II of the *Cochin Legislative Council Manual.*) It is a substantial part of putting a question, and the question cannot be put when the member is absent.

President.—Here, I suppose, the rule is silent as to whether the name of the interpellator absent should be called. I am putting my own interpretation on the rules. Each member will have his own interpretation. One interpretation pre-supposes the absence of a member in the Council, but that his absence need not be taken notice of. Another interpretation pre-supposes the presence of the member in Council. If he is present, the Secretary is to follow all these rules; and if he is absent, of course, there is nothing stated here.

Mr. C. A. Ouseph.—If a member is absent, no question can be put by him.

President.—That is performed by the Secretary reading the question.

Mr. C. A. Ouseph.—Am I to understand that, by the calling out of the name, the question is answered.

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President.—The moment it is published it is answered. So long as we keep these things secret, it is not answered. The moment it is published it is answered.

Have you come to any finality in regard to this matter? Let us do as we have been doing up till now.

37. Mr. T. A. Ramachandra Ayyar.—(a) Has the attention of the Government been drawn to newspaper criticisms condemning their plicy in appointing Capt. A. R. Puduval, second grade Assistant Surgeon, to act for the Chief Medical and Sanitary Officer during his absence on leave ;

(b) will the Government be pleased to state their justification for overlooking the claims of Dr. D. R. Rao, the legitimate claimant therefor ;

(c) whether Dr. Rao's appointment was not made in 1083 and that of Dr. Puduval in 1097;

(d) whether Dr. Rao, with 18 years' Government service is now drawing a monthly salary of Rs. 500 for over the past 4 years, instead of Dr. Puduval drawing Rs. 290 with only 4 years' total service;

(e) whether the present acting appointment was recommended by the Chief Medical and Sanitary Officer;

(f) whether such promotions in utter disregard of legitimate claims will not create a discontented service, and; whether it is justifiable in the interests of public justice and safety;

(g) whether the appointment will be considered a precedent in filling up the next permanent vacancy of the Chief Medical and Sanitary Officer when it occurs?

Diwan Bahadur Dr. V. Veghese.—(a) Yes.

(b) Vide answer 36.

(c) Yes.

(d) Yes.

(e) No acting arrangement was recommended by the Chief Medical and Sanitary Officer.

(f) No promotion was given in the present case.

(g) No acting appointment was made in this instance, and hence no answer is called for.

Mr. T. A. Ramachandra Ayyar.—Acting arrangements were recommended, it is said. What kind of arrangement was it that was recommended?

President.—"In charge arrangements". I suppose, you have not understood what is meant by "in charge arrangements" and "acting arrangements". Here Dr. A. R. Puduval does all

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